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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/725,424	12/03/2003	Hiroyuki Kojima	117756	4778
25944	7590	12/13/2006		
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320				
			EXAMINER NGUYEN, DUNG T	
			ART UNIT	PAPER NUMBER
			2871	

DATE MAILED: 12/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/725,424

Applicant(s)

KOJIMA ET AL.

Examiner

Dung Nguyen

Art Unit

2871

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 20 September 2006.  
2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 3-14 is/are pending in the application.  
4a) Of the above claim(s) 13 and 14 is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 3-12 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsman's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

Applicant's amendment dated 09/22/2006 has been received and entered. By the amendment, claims 3-14 are now pending in the application.

#### ***Election/Restrictions***

1. Newly submitted claims 11-14 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons:
2. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 11-12 (together with claims 3-10), drawn to an electro-optical apparatus, classified in class 349, subclass 058.
  - II. Claims 13-14, drawn to a method for manufacturing an electro-optical apparatus, classified in class 349, subclass 187.

The inventions are distinct, each from the other because of the following reasons:

Inventions II and I are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make another and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case, the electro-optical apparatus in group I can be formed by a different method from group II.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 13-14 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

*Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 5 and 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee, US Patent No. 5,835,139.

Regarding the above claims, Lee discloses a liquid crystal display (LCD) device (figure 23) comprising:

- . an electro-optical device (LCD panel 340);
- . a mounting case having a plate (rear case 500), a cover with window (front case 100 with window) as claimed;
- . an adhesive layer (111a/112a).

Lee, however, does not appear to specify that the surface of the at least one of plate and the cover being bond to the electro-optical device by double coated adhesive tape (i.e., the double coated adhesive therebetween). It would have been obvious to one skilled in the art at the time of the invention was made to employ a double coated adhesive tape instead of the Lee et al adhesive tape to secure two cases (e.g., front and rear cases) together.

5. Claims 3 and 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee, US Patent No. 5,835,139, in view of Yamanaka, US Patent No. 5,853,179.

Regarding the above claims, the modification to the Lee's device disclose the claimed invention as described above except for a heat conductivity of 0.6W/mK or more and using as a

projection display. Yamanaka does disclose a projector (abstract) and using an adhesive layer with 1.0 W/mK or higher heat conductivity (col. 4, ln 22-25). Therefore, it would have been obvious to one skilled in the art at the time of the invention was made to employ a double coated adhesive tape with a heat conductivity being 0.6W/mK or more using in a projector for heat dissipating purposes (col. 6, ln 18-34).

6. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lee, US Patent No. 5,835,139, in view of Yamamoto, JP 10-171368.

Regarding the above claims, the modification to the Lee's device discloses the claimed invention as described above except for an acryl rubber. Yamamoto does disclose an adhesive tape can be an acryl rubber. Therefore, it would have been obvious to one skilled in the art at the time of the invention was made to employ the Lee's adhesive tape by acryl rubber in order to securely hold a large display panel (see abstract).

7. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lee, US Patent No. 5,835,139, in view of Oogita et al., US Patent No. 4,762,983.

Regarding the above claims, the modification to the Lee's device disclose the claimed invention as described above except for the thickness of the double coated adhesive tape being in the range of 50 to 200 ( $\mu\text{m}$ ). Oogita et al. do disclose such claimed range for an adhesive tape (claim 3). Therefore, it would have been obvious to one skilled in the art at the time of the invention was made to employ the Lee's adhesive tape having a thickness in the range of 50 to 200 ( $\mu\text{m}$ ) in order to obtain a thin adhesive tape (see abstract).

***Response to Arguments***

8. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejections as noted above.

***Conclusion***

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

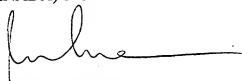
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung Nguyen whose telephone number is 571-272-2297. The examiner can normally be reached on Tuesday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Nelms can be reached on 571-272-1782. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DN  
12/11/2006



*Dung Nguyen*  
**Primary Examiner**  
**Art Unit 2871**